
HOUSE BILL No. 2027

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-5-2-1.2; IC 20-8.1; IC 20-12-76; IC 21-3-1.6-1.1; IC 31-37-19-28; IC 35-50-3.5.

Synopsis: Programs for expelled students. Requires a school corporation to provide an educational program for students who receive expulsions. Provides that a student's education program may include an assignment to attend various kinds of programs, including an educational program that the school corporation designs. Provides a funding grant administered by the department of education, establishes the amount of the grant as equal to the amount provided per pupil under current law for alternative education grants, and obtains funding from money appropriated under current law for alternative education grants. Provides that an expelled student's absence from the student's educational program is a violation of the compulsory school attendance laws. Provides for the payment of transfer tuition for transfer students who are expelled. Includes in the ADM of a school corporation those expelled students who receive educational services. Provides for the release of school records to a court that has juvenile or criminal jurisdiction over a student. Provides for notification of a student's principal by the court if the student is adjudicated to be a delinquent child or if the student is convicted of a criminal offense.

Effective: July 1, 2001.

Kersey, Liggett

January 17, 2001, read first time and referred to Committee on Education.

C
o
p
y



Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 2027

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-5-2-1.2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1.2. (a) Each school
3 corporation shall conduct an educational program for all children who
4 reside within the school corporation in kindergarten and in grades 1
5 through 12, ~~During the 1990-91 school year, each school corporation~~
6 ~~may provide each preschool child with a disability with an appropriate~~
7 ~~special education as required under IC 20-1-6-14.1 using local or~~
8 ~~available federal funds. Beginning with the 1991-92 school year,~~
9 **including students receiving an expulsion under IC 20-8.1-5.1.** Each
10 school corporation shall provide each preschool child with a disability
11 with an appropriate special education as required under IC 20-1-6-14.1
12 only if the general assembly appropriates state funds for preschool
13 special education.
14 (b) Each school corporation may:
15 (1) conduct an educational program for adults and children over
16 fourteen (14) years of age not attending a program under
17 subsection (a);

2001

IN 2027—LS 7171/DI 97+



(2) provide instruction in vocational, industrial, or manual training;

(3) provide libraries for the schools of the school corporation;

(4) provide public libraries open and free for the use and benefit of the residents and taxpayers of the school corporation where permitted by law;

(5) provide vacation school and recreational programs;

(6) conduct other educational or other activities as are permitted or required to be performed by law by any school corporation; and

(7) provide a school age child care program that operates during periods when school is in session for students who are enrolled in a half-day kindergarten program.

(c) Each school corporation shall develop a written policy that provides for:

(1) the implementation of a school age child care program for children who attend kindergarten through grade 6 that, at a minimum, operates after the school day and may include periods of time before school is in session or periods when school is not otherwise in session (commonly referred to as latch key programs) and is offered by the school corporation; or

(2) the availability of the school corporation's buildings or parts of the school corporation's buildings to conduct the types of programs described in subdivision (1) by nonprofit organizations or for-profit organizations.

(d) The written policy required under subsection (c) must address compliance with certain standards for reasonable care for children served under a child care program offered under this subsection, including:

(1) requiring the offering entity to acquire a particular amount of liability insurance; and

(2) establishing maximum adult to child ratios governing the overall supervision of the children being served.

If a school corporation implements the school corporation's own child care program or enters into a contract to provide these programs, the school corporation may not assess a fee for the use of the building. However, the school corporation may assess a fee to reimburse the school corporation for providing security, maintenance, utilities, school personnel, or other added costs directly attributable to the use of the buildings for the programs. In addition, if a school corporation offers the school corporation's own child care program, the school corporation may assess a fee to cover the costs attributable to implementing the program.

C
o
p
y



(e) The powers under this section shall be construed as purposes as well as powers.

SECTION 2. IC 20-8.1-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) As used in this article, the term "expulsion" means a disciplinary or other action whereby a student **is separated from attending the student's assigned school program for:**

(1) ~~is separated from school attendance~~ for a period in excess of ten (10) school days;

(2) ~~is separated from school attendance~~ for the balance of the current semester or current year unless a student is permitted to complete required examinations in order to receive credit for courses taken in the current semester or current year; or

(3) ~~is separated from school attendance~~ for the period prescribed under IC 20-8.1-5.1-10. ~~which may include an assignment to attend an alternative school; an alternative educational program; or a homebound educational program.~~

(b) The term does not include situations when a student is:

(1) disciplined under IC 20-8.1-5.1-18;

(2) removed from school in accordance with IC 20-8.1-7-8; or

(3) removed from school for failure to comply with the immunization requirements of IC 20-8.1-7-10.1.

SECTION 3. IC 20-8.1-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. This chapter applies to each situation which involves any of the following:

(1) A person less than eighteen (18) years of age who is domiciled in Indiana.

(2) A person less than eighteen (18) years of age who is not domiciled in Indiana and who intends to remain in Indiana for a period of time as established by rule of the Indiana state board of education.

(3) A student:

(A) who is less than eighteen (18) years of age; **and**

(B) whose behavior has resulted in an expulsion from school.

~~and~~

~~(C) who is assigned to attend an alternative school or an alternative educational program.~~

SECTION 4. IC 20-8.1-5.1-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3.5. (a) **This section does not apply to a student who is expelled under section 11 of this chapter.**

(b) **A school corporation shall provide an educational program**



for a student who receives an expulsion under this chapter. The student's educational program may include assignment to attend the following:

- (1) An alternative school.
- (2) An alternative educational program.
- (3) A homebound educational program.
- (4) A correspondence course.
- (5) A cooperative program with another school corporation.
- (6) A program under the supervision of the judicial system.
- (7) An educational program that the school corporation designs.

(c) A grant program is established to assist in the funding of educational programs for expelled students. The department of education shall:

- (1) distribute grants under this section at the time that the department distributes alternative education program grants under IC 21-3-11; and
- (2) provide grants from money appropriated for alternative education program grants under IC 21-3-11.

The amount of the grant to each school corporation shall equal the number of expelled students receiving educational services from the school corporation multiplied by the per pupil amount provided by the alternative education program grant under IC 21-3-11. However, a student who is counted for purposes of receiving an alternative education grant may not count for purposes of determining the amount of a grant under this section.

(d) Attendance at an educational program assigned under this section satisfies the compulsory school attendance requirements of IC 20-8.1-3.

SECTION 5. IC 20-8.1-5.1-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 24. (a) If a student is suspended or expelled from a school or from any educational function under this chapter, the student's absence from school because of the suspension or expulsion is not a violation of IC 20-8.1-3 or any other statute relating to compulsory school attendance.

(b) If a student is expelled from a school or from any educational function under this chapter, the student's absence from the educational program to which the student is assigned because of the expulsion is a violation of IC 20-8.1-3 or any other statute relating to compulsory school attendance.

SECTION 6. IC 20-8.1-6.1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) As used in this



section, the following terms have the following meanings:

(1) "Class of school" refers to a classification of each school or program in the transferee corporation by the grades or special programs taught at the school. Generally, these classifications are denominated as kindergarten, elementary school, middle school or junior high school, high school, and special schools or classes, such as schools or classes for special education, vocational training, or career education.

(2) "ADM" means the following:

(A) For purposes of allocating to a transfer student state distributions under IC 21-1-30 (primetime), "ADM" as computed under IC 21-1-30-2.

(B) For all other purposes, "ADM" as set forth in IC 21-3-1.6-1.1.

(3) "Pupil enrollment" means the following:

(A) The total number of students in kindergarten through grade 12 who are enrolled in a transferee school corporation on a date determined by the Indiana state board of education.

(B) The total number of students enrolled in a class of school in a transferee school corporation on a date determined by the Indiana state board of education.

However, a kindergarten student shall be counted under clauses (A) and (B) as one-half (1/2) a student.

(4) "Special equipment" means equipment that during a school year:

(A) is used only when a child with disabilities is attending school;

(B) is not used to transport a child to or from a place where the child is attending school;

(C) is necessary for the education of each child with disabilities that uses the equipment, as determined under the individualized instruction program for the child; and

(D) is not used for or by any child who is not a child with disabilities.

The Indiana state board of education may select a different date for counts under subdivision (3). However, the same date shall be used for all school corporations making a count for the same class of school.

(b) Each transferee corporation is entitled to receive for each school year on account of each transferred student, except a student transferred under section 3 of this chapter, transfer tuition from the transferor corporation or the state as provided in this chapter. Transfer tuition equals the amount determined under STEP THREE of the

C
o
p
y



following formula:

STEP ONE: Allocate to each transfer student the capital expenditures for any special equipment used by the transfer student and a proportionate share of the operating costs incurred by the transferee school for the class of school where the transfer student is enrolled.

STEP TWO: If the transferee school included the transfer student in the transferee school's ADM for a school year, allocate to the transfer student a proportionate share of the following general fund revenues of the transferee school for, except as provided in clause (C), the calendar year in which the school year ends:

(A) The following state distributions that are computed in any part using ADM or other pupil count in which the student is included:

- (i) Primetime grant under IC 21-1-30.
- (ii) Tuition support for basic programs and at-risk weights under IC 21-3-1.7-8 (before January 1, 1996) and only for basic programs (after December 31, 1995).
- (iii) Enrollment growth grant under IC 21-3-1.7-9.5.
- (iv) At-risk grant under IC 21-3-1.7-9.7.
- (v) Academic honors diploma award under IC 21-3-1.7-9.8.
- (vi) Vocational education grant under IC 21-3-1.8-3.
- (vii) Special education grant under IC 21-3-1.8 (repealed January 1, 1996) or IC 21-3-10.
- (viii) The portion of the ADA flat grant that is available for the payment of general operating expenses under IC 21-3-4.5-2(b)(1).

(B) For school years beginning after June 30, 1997, property tax levies.

(C) For school years beginning after June 30, 1997, excise tax revenue (as defined in IC 21-3-1.7-2) received for deposit in the calendar year in which the school year begins.

(D) For school years beginning after June 30, 1997, allocations to the transferee school under IC 6-3.5.

STEP THREE: Determine the greater of:

- (A) zero (0); or
- (B) the result of subtracting the STEP TWO amount from the STEP ONE amount.

If a child is placed in an institution or facility in Indiana under a court order, the institution or facility shall charge the county office of the county of the student's legal settlement under IC 12-19-7 for the use of the space within the institution or facility (commonly called capital

copy



costs) that is used to provide educational services to the child based upon a prorated per student cost.

(c) Operating costs shall be determined for each class of school where a transfer student is enrolled. The operating cost for each class of school is based on the total expenditures of the transferee corporation for the class of school from its general fund expenditures as specified in the classified budget forms prescribed by the state board of accounts. This calculation excludes:

- (1) capital outlay;
- (2) debt service;
- (3) costs of transportation;
- (4) salaries of board members;
- (5) contracted service for legal expenses; and
- (6) any expenditure which is made out of the general fund from extracurricular account receipts;

for the school year.

(d) The capital cost of special equipment for a school year is equal to:

- (1) the cost of the special equipment; divided by
- (2) the product of:
 - (A) the useful life of the special equipment, as determined under the rules adopted by the Indiana state board of education; multiplied by
 - (B) the number of students using the special equipment during at least part of the school year.

(e) When an item of expense or cost described in subsection (c) cannot be allocated to a class of school, it shall be prorated to all classes of schools on the basis of the pupil enrollment of each class in the transferee corporation compared to the total pupil enrollment in the school corporation.

(f) Operating costs shall be allocated to a transfer student for each school year by dividing:

- (1) the transferee school corporation's operating costs for the class of school in which the transfer student is enrolled; by
- (2) the pupil enrollment of the class of school in which the transfer student is enrolled.

When a transferred student is enrolled in a transferee corporation for less than the full school year of pupil attendance, the transfer tuition shall be calculated by the portion of the school year for which the transferred student is enrolled. A school year of pupil attendance consists of the number of days school is in session for pupil attendance. A student, regardless of the student's attendance, is enrolled in a

C
O
P
Y



transferee school unless the student is no longer entitled to be transferred because of a change of residence ~~the student has been excluded or expelled from school for the balance of the school year or for an indefinite period~~; or the student has been confirmed to have withdrawn from school. The transferor and the transferee corporation may enter into written agreements concerning the amount of transfer tuition due in any school year. Where an agreement cannot be reached, the amount shall be determined by the Indiana state board of education, and costs may be established, when in dispute, by the state board of accounts.

(g) A transferee school shall allocate revenues described in subsection (b) STEP TWO to a transfer student by dividing:

- (1) the total amount of revenues received; by
- (2) the ADM of the transferee school for the school year that ends in the calendar year in which the revenues are received.

However, for state distributions under IC 21-1-30, IC 21-3-10, or any other statute that computes the amount of a state distribution using less than the total ADM of the transferee school, the transferee school shall allocate the revenues to the transfer student by dividing the revenues that the transferee school is eligible to receive in a calendar year by the pupil count used to compute the state distribution.

(h) In lieu of the payments provided in subsection (b), the transferor corporation or state owing transfer tuition may enter into a long term contract with the transferee corporation governing the transfer of students. This contract is for a maximum period of five (5) years with an option to renew, and may specify a maximum number of pupils to be transferred and fix a method for determining the amount of transfer tuition and the time of payment, which may be different from that provided in section 9 of this chapter.

(i) If the school corporation can meet the requirements of IC 21-1-30-5, it may negotiate transfer tuition agreements with a neighboring school corporation that can accommodate additional students. Agreements under this section may be for one (1) year or longer and may fix a method for determining the amount of transfer tuition or time of payment that is different from the method, amount, or time of payment that is provided in this section or section 9 of this chapter. A school corporation may not transfer a student under this section without the prior approval of the child's parent or guardian.

(j) If a school corporation experiences a net financial impact with regard to transfer tuition that is negative for a particular school year as described in IC 6-1.1-19-5.1, the school corporation may appeal for an excessive levy as provided under IC 6-1.1-19-5.1.

C
o
p
y



SECTION 7. IC 20-8.1-6.5-3 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. ~~Transfer Tuition.~~ (a)

The transferee corporation shall be entitled to receive from the transferor corporation transfer tuition for each transferred student for each school year calculated in two (2) parts: operating cost and capital cost. These shall be allocated on a per student basis separately for each class of school.

(b) The operating cost for each class of school shall be based on the total expenditures of the transferee corporation for such class from its general fund expenditures as set out on the classified budget forms prescribed by the state board of accounts, excluding from such calculation capital outlay, debt service, costs of transportation, salaries of board members, contracted service for legal expenses and any expenditure which is made out of the general fund from extracurricular account receipts, for the school year.

(c) The capital cost for each class of school shall consist of the lesser of the following two (2) alternatives: Alternative one shall be based on an amount equal to five percent (5%) of the cost of transferee corporation's physical plant, equipment and all appurtenances thereto (including but not limited to buildings, additions and remodeling thereof, except ordinary maintenance, on-site and off-site improvements such as walks, sewers, waterlines, drives, and playgrounds) theretofore paid or obligated to be paid in the future out of the general fund, capital projects fund, or debt service fund, including but not limited to principal and interest and lease rental payments (or out of funds which were legal predecessors to these funds). Where any item of physical plant, equipment appurtenances, or portion thereof is more than twenty (20) years old at the beginning of the school year, the capital cost thereof shall be disregarded in making such computation. Alternate two shall be based on the amount budgeted from the general fund for capital outlay for physical plant, equipment and appurtenances and the amounts levied for the debt service fund and the capital projects fund, for the calendar year in which the school year ends.

(d) Where an item of expense or cost cannot be allocated to a class of school, it shall be prorated to all classes of schools on the basis of the ADM of each class in the transferee corporation compared to the total ADM therein.

(e) The transfer tuition for each student transferred for each school year shall be calculated by dividing the transferee school corporation's total operating costs and the total capital costs for the class of school in which the student is enrolled by the ADM of students therein. Where

C
O
P
Y



1 a transferred student is enrolled in a transferee corporation for less than
 2 the full school year the transfer tuition shall be calculated by the
 3 proportion of such school year for which the transferred student is
 4 enrolled. A school year for this purpose shall consist of the number of
 5 days school is in session for pupil attendance. A student shall be
 6 enrolled in a transferee school, whether or not ~~he the student~~ is in
 7 attendance, unless ~~his the student's~~ residence is outside the area of
 8 students transferred to the transferee corporation or ~~he has been~~
 9 ~~excluded or expelled from school or the student~~ has been confirmed
 10 as a school dropout. The transferor and transferee corporations may
 11 enter into written agreements concerning the amount of transfer tuition.
 12 Where an agreement cannot be reached the amount shall be determined
 13 by the superintendent of public instruction, with costs to be established,
 14 where in dispute, by the state board of accounts.

15 (f) The transferor corporation shall also pay the transferee
 16 corporation, when billed, the amount of book rental due from
 17 transferred students who are unable to pay the amount thereof. The
 18 transferor corporation shall be entitled to collect the amount of such
 19 book rental from the appropriate township trustee, from its own funds,
 20 or from any other source, in the amounts and manner provided by
 21 applicable law.

22 SECTION 8. IC 20-8.1-14 IS ADDED TO THE INDIANA CODE
 23 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2001]:

25 **Chapter 14. Release of School Records to Courts With Juvenile**
 26 **or Criminal Jurisdiction**

27 **Sec. 1. Upon written request, a school shall provide a child's**
 28 **school records to a court having juvenile or criminal jurisdiction**
 29 **over a case involving the child who attends the school if the child:**

30 (1) is alleged to be or has been adjudicated a juvenile
 31 delinquent; or

32 (2) is charged with or convicted of an offense;
 33 in the court that submits the request.

34 **Sec. 2. A court may request the disclosure of school records**
 35 **under section 1 of this chapter only in connection with:**

- 36 (1) a legitimate investigation;
- 37 (2) a prosecution;
- 38 (3) a juvenile delinquency adjudication;
- 39 (4) a treatment program; or
- 40 (5) an educational program.

41 **Sec. 3. Except as provided in this chapter, the disclosure of a**
 42 **child's school records is subject to confidentiality restrictions**



C
O
P
Y

1 **imposed by state and federal law.**

2 SECTION 9. IC 20-12-76 IS ADDED TO THE INDIANA CODE
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2001]:

5 **Chapter 76. Release of School Records to Courts With Juvenile**
6 **or Criminal Jurisdiction**

7 **Sec. 1. Upon written request, an institution of higher learning or**
8 **a vocational school shall provide a child's school records to a court**
9 **having juvenile or criminal jurisdiction over a case involving the**
10 **child who attends the school if the child:**

11 (1) **is alleged to be or has been adjudicated a juvenile**
12 **delinquent; or**

13 (2) **is charged with or convicted of an offense;**
14 **in the court that submits the request.**

15 **Sec. 2. A court may request the disclosure of school records**
16 **under section 1 of this chapter only in connection with:**

17 (1) **a legitimate investigation;**

18 (2) **a prosecution;**

19 (3) **a juvenile delinquency adjudication;**

20 (4) **a treatment program; or**

21 (5) **an educational program.**

22 **Sec. 3. Except as provided in this chapter, the disclosure of a**
23 **child's school records is subject to confidentiality restrictions**
24 **imposed by state and federal law.**

25 SECTION 10. IC 21-3-1.6-1.1, AS AMENDED BY P.L.93-2000,
26 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2001]: Sec. 1.1. As used in this chapter:

28 (a) "School corporation" means any local public school corporation
29 established under Indiana law.

30 (b) "School year" means a year beginning July 1 and ending the next
31 succeeding June 30.

32 (c) "State distribution" due a school corporation means the amount
33 of state funds to be distributed to a school corporation in any calendar
34 year under this chapter.

35 (d) "Average daily membership" or "ADM" of a school corporation
36 means the number of eligible pupils enrolled in the school corporation
37 or in a transferee corporation on a day to be fixed annually by the
38 Indiana state board of education. Such day shall fall within the first
39 thirty (30) days of the school term. If, however, extreme patterns of
40 student in-migration, illness, natural disaster, or other unusual
41 conditions in a particular school corporation's enrollment on the
42 particular day thus fixed, cause the enrollment to be unrepresentative

C
o
p
y



1 of the school corporation's enrollment throughout a school year, the
 2 Indiana state board of education may designate another day for
 3 determining the school corporation's enrollment. The Indiana state
 4 board of education shall monitor changes, which occur after the fall
 5 count, in the number of students enrolled in programs for children with
 6 disabilities and shall, before December 2 of that same year, make an
 7 adjusted count of students enrolled in programs for children with
 8 disabilities. The superintendent of public instruction shall certify the
 9 adjusted count to the budget committee before February 5 of the
 10 following year. In determining the ADM, each kindergarten pupil shall
 11 be counted as one-half (1/2) pupil. Where a school corporation
 12 commences kindergarten in a school year, the ADM of the current and
 13 prior calendar years shall be adjusted to reflect the enrollment of the
 14 kindergarten pupils. In determining the ADM, each pupil enrolled in
 15 a public school and a nonpublic school is to be counted on a full-time
 16 equivalency basis as provided in section 1.2 of this chapter. "Current
 17 ADM" of a school corporation used in computing its state distribution
 18 in a calendar year means the ADM of the school year ending in the
 19 calendar year. "ADM of the previous year" or "ADM of the prior year"
 20 of a school corporation used in computing its state distribution in a
 21 calendar year means the ADM of the school corporation for the school
 22 year ending in the preceding calendar year.

23 (e) "Additional count" of a school corporation, or comparable
 24 language, means the aggregate of the additional counts of the school
 25 corporation for certain pupils as set out in section 3 of this chapter and
 26 as determined at the times for calculating ADM. "Current additional
 27 count" means the additional count of the school corporation for the
 28 school year ending in the calendar year. "Prior year additional count"
 29 of a school corporation used in computing its state distribution in a
 30 calendar year means the additional count of the school corporation for
 31 the school year ending in the preceding calendar year.

32 (f) "Adjusted assessed valuation" of any school corporation used in
 33 computing state distribution for a calendar year means the assessed
 34 valuation in the school corporation, adjusted as provided in
 35 IC 6-1.1-34. The amount of the valuation shall also be adjusted
 36 downward by the state board of tax commissioners to the extent it
 37 consists of real or personal property owned by a railroad or other
 38 corporation under the jurisdiction of a federal court under the federal
 39 bankruptcy laws (11 U.S.C. 101 et seq.) if as a result of the corporation
 40 being involved in a bankruptcy proceeding the corporation is
 41 delinquent in payment of its Indiana real and personal property taxes
 42 for the year to which the valuation applies. If the railroad or other

C
o
p
y



corporation in some subsequent calendar year makes payment of the delinquent taxes, then the state superintendent of public instruction shall prescribe adjustments in the distributions of state funds pursuant to this chapter as are thereafter to become due to a school corporation affected by the delinquency as will ensure that the school corporation will not have been unjustly enriched under the provisions of P.L.382-1987(ss).

(g) "General fund" means a school corporation fund established under IC 21-2-11-2.

(h) "Teacher" means every person who is required as a condition of employment by a school corporation to hold a teacher's license issued or recognized by the state, except substitutes and any person paid entirely from federal funds.

(i) "Teacher ratio" of a school corporation used in computing state distribution in any calendar year means the ratio assigned to the school corporation pursuant to section 2 of this chapter.

(j) "Eligible pupil" means a pupil enrolled in a school corporation, **including a pupil who has received an expulsion under IC 20-8.1-5.1 and is receiving educational services under IC 20-8.1-5.1-3.5**, if:

(1) the school corporation has the responsibility to educate the pupil in its public schools without the payment of tuition;

(2) subject to subdivision (5), the school corporation has the responsibility to pay transfer tuition under IC 20-8.1-6.1, because the pupil is transferred for education to another school corporation (the "transferee corporation");

(3) the pupil is enrolled in a school corporation as a transfer student under IC 20-8.1-6.1-3 or entitled to be counted for ADM or additional count purposes as a resident of the school corporation when attending its schools under any other applicable law or regulation;

(4) the state is responsible for the payment of transfer tuition to the school corporation for the pupil under IC 20-8.1-6.1; or

(5) all of the following apply:

(A) The school corporation is a transferee corporation.

(B) The pupil does not qualify as a qualified pupil in the transferee corporation under subdivision (3) or (4).

(C) The transferee corporation's attendance area includes a state licensed private or public health care facility, child care facility, or foster family home where the pupil was placed:

(i) by or with the consent of the division of family and children;

C
o
p
y



- (ii) by a court order;
- (iii) by a child placing agency licensed by the division of family and children; or
- (iv) by a parent or guardian under IC 20-8.1-6.1-5.

(k) "General fund budget" of a school corporation means the amount of the budget approved for a given year by the state board of tax commissioners and used by the state board of tax commissioners in certifying a school corporation's general fund tax levy and tax rate for the school corporation's general fund as provided for in IC 21-2-11.

SECTION 11. IC 31-37-19-28 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 28. (a) Whenever a court adjudicates a child to be a delinquent child, the court shall notify the principal of any public or nonpublic elementary or secondary school that the child attends of the adjudication and disposition of the case.**

(b) Upon written request of an authorized representative of the school, the court, if the court considers it appropriate, may authorize the attorney for the county office of family and children to give the principal of the school a statement of the facts in the case.

(c) A principal who receives information under subsection (a) or (b):

(1) shall release the information to any employees of the school having responsibility for classroom instruction with the child; and

(2) may release the information to any school administrative, transportation, or counseling personnel and any teacher or school employee with whom the student may come in contact.

However, the information must otherwise remain confidential and may not become part of the child's school records.

SECTION 12. IC 35-50-3.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 3.5. Release of Certain Criminal Records of a Child to a School the Child Attends

Sec. 1. Whenever a court convicts a child of an offense, the court shall notify the principal of any public or nonpublic school that the child attends of the child's conviction and sentence for the offense.

Sec. 2. Upon written request of an authorized representative of the school, the court, if the court considers it appropriate, may authorize the prosecuting attorney to give the principal of the

C
o
p
y



1 school a statement of the facts of the case.

2 Sec. 3. A principal who receives information under section 1 or
3 2 of this chapter:

4 (1) shall release the information to employees of the school
5 having responsibility for classroom instruction with the child;
6 and

7 (2) shall release the information to employees of the school
8 having responsibility for school safety.

9 Sec. 4. Information released under this chapter may not become
10 part of the child's school records.

C
o
p
y

